



## Auto-Reply Facsimile Transmission

TO:

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Fax Information

Date Received:

Total Pages:

9/28/2005 10:48:54 PM [Eastern Daylight Time]  
19 (including cover page)

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Cover  
Page

8/25/2005 11:49 7039974565 JUDGE PATENT FIRM 10/04/2005 81/19

TRANSMITTAL FORM	
U.S. Patent and Trademark Office, Department of Commerce Approved for use through 07/01/2005, GPO: 2004-100-0004 U.S. Patent and Trademark Office, Department of Commerce Approved for use through 07/01/2005, GPO: 2004-100-0004	
Applicant Number: <b>10/041133</b>	Transmit Date: <b>June 27, 2005</b>
First Name in name: <b>Mitsuhiko Nagashita</b>	Last Name in name: <b>Nagashita</b>
Art Unit: <b>1700</b>	Examiner Name: <b>Ram N. Kacker</b>
Total Number of Pages in this document: <b>1</b>	Accuracy Decal Number: <b>20.01740</b>

**ENCLOSURES/PURPOSE OF TRANSMISSION**

<input type="checkbox"/> Fax Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Personal Communication <input type="checkbox"/> After Post <input type="checkbox"/> Attends Interview(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Expense Disbursement Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Party's Document(s) <input type="checkbox"/> reply to a filing by the filer <input type="checkbox"/> Interference Application <input type="checkbox"/> Inquiry concerning prints <input type="checkbox"/> Under 37 CFR 1.22 or 1.23	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensee/Assignee Papers <input type="checkbox"/> Petition <input type="checkbox"/> Power of Attorney, Reservation <input type="checkbox"/> Power of Attorney, Reservation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for return <input type="checkbox"/> CD, Number of CD(s) <input type="checkbox"/> Enclosed <input type="checkbox"/> Landmarks Table on CD	<input type="checkbox"/> Alter Addressed Communication to TC <input type="checkbox"/> Appeal Communication to Team of Attorneys and Interviewees <input type="checkbox"/> Appeal Communication to TC <input type="checkbox"/> Appeal Status, Note & copy brief <input type="checkbox"/> Registrability Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) Shows Identity before
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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Print Name: **Judge Patent Firm**  
Signature: **[Signature]**

Print Name: **James W. Judge**  
Signature: **[Signature]**  
Date: **September 29, 2005** File No.: **42,701**

**CERTIFICATE OF TRANSMISSION/MAILING**

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PAGE 113 \* RCV'D AT 09/28/2005 10:48:54 PM Eastern Daylight Time \* SVR:USPTO-EFXRF-6/24 \* DNI:2738300 \* CSID:7039974565 \* DURATION (mm:ss):05-36

PTO/SB/21 (09-04)

Approved for use through 07/31/2006, OMB 0051-0031

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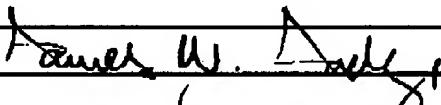
Total Number of Pages in This Submission

Application Number	10/604,133	
Filing Date	June 27, 2003	RECEIVED
First Named Inventor	Masuhiro Natsuhashi	
Art Unit	1763	
Examiner Name	Ram N. Kackar	
Attorney Docket Number	JAN 11 2006	
Total Number of Pages in This Submission	22	39.017-AG

**ENCLOSURES (Check all that apply)**

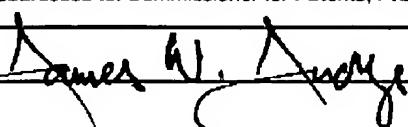
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
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<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
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<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<b>Facsimile resubmission statement - 2 pp.</b>
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Remarks	
<b>Retransmission of September 28, 2005 reply.</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Judge Patent Firm		
Signature			
Printed name	James W. Judge		
Date	January 11, 2006	Reg. No.	42,701

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	James W. Judge	Date	January 11, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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JAN 11 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

App. No. : 10/604,133 Confirmation No. 1132  
Applicant : Masuhiro Natsuhara et al.  
Filed : June 27, 2003  
T.C./A.U. : 1763  
Examiner : Ram N. Kackar  
Docket No. : 39.017-AG  
Customer No. : 29453

Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Facsimile Resubmission of Missing Pages of Document (M.P.E.P. 509)**

Sir:

On September 28, 2005, Applicants submitted, via facsimile transmission to the USPTO's central fax number, an 18-page reply to the Office action of June 29, 2005 in the patent application identified above. However, the Image File Wrapper for this application contains only the first two pages of Applicants' September 28, 2005 transmission of the reply—the Transmittal Form cover sheet, and page one of the reply itself. Consequently, Applicants' September 28, 2005 was not entered into the File History for this application, nor properly presented to the Examiner.

Nevertheless, Applicants' undersigned representative received an "Auto-Reply Facsimile Transmission" from the USPTO shortly after sending the September 28, 2005 reply. The Auto-Reply Facsimile Transmission, a copy of which is attached hereto, clearly indicates that 19 total pages (not just 2 pages) were received by the Office. That 19-page total represents the 18-page reply plus the 1-page Transmittal Form cover sheet, a copy of which is embedded in the Auto-Reply Facsimile Transmission as return receipt confirmation of the September 28, 2005 transmission.

M.P.E.P. 509 states,

When a document is missing from an application, Office practice is to call the applicant's representative and request submission (generally by facsimile) of a copy of the missing document.

App. No. 10/604,065  
Statement dated January 11, 2008  
Re: Reply to Office Action of June 29, 2005

Accordingly, on January 10, 2006, the Examiner telephoned Applicants' undersigned representative to request resubmission of the reply so as to have in hand the missing pages.

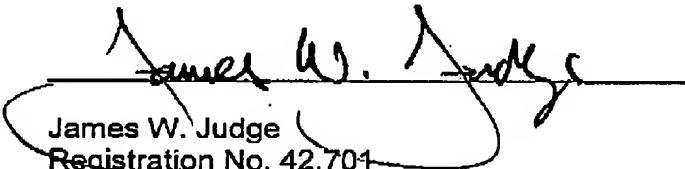
Attached is the September 28, 2005 reply in full, following the Auto-Reply Facsimile Transmission sheet.

M.P.E.P. 509 goes on to state, "[T]he Office will generally treat missing documents in this relatively informal manner (rather than issuing a notice under 37 CFR § 1.251)." Accordingly, it is believed that Applicants have complied in full with the requirements of the Office in order that the Examiner may now have in full before him Applicants' reply of September 28, 2005.

Attachments: 1) Reply of Sept. 28, 2005 – 18 pp.  
2) Auto-Reply Facsimile Transmission sheet of same date – 1 p.

Respectfully submitted,

January 11, 2006

  
James W. Judge  
Registration No. 42,701

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